

EXHIBIT 5

Docket Report Entry Number 51
regarding District of Hawaii case number
19-cv-169-LEK-KJM

**U.S. District Court
District of Hawaii (Hawaii)
CIVIL DOCKET FOR CASE #: 1:19-cv-00169-LEK-KJM**

Venice PI, LLC, et al v. Doe 1, et al
Assigned to: JUDGE LESLIE E. KOBAYASHI
Referred to: MAGISTRATE JUDGE KENNETH J.
MANSFIELD
Cause: 17:101 Copyright Infringement

Date Filed: 04/04/2019
Date Terminated: 04/22/2020
Jury Demand: Plaintiff
Nature of Suit: 820 Copyright
Jurisdiction: Federal Question

Plaintiff

Venice PI, LLC

represented by **Kerry S. Culpepper**
75-170 Hualalai Road
Suite B204
Kailua Kona, HI 96740
808-464-4047
Fax: 202-204-5181
Email: kculpepper@culpepperip.com
ATTORNEY TO BE NOTICED

Plaintiff

MON, LLC

represented by **Kerry S. Culpepper**
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Millennium Funding, Inc

represented by **Kerry S. Culpepper**
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Bodyguard Productions, Inc.

represented by **Kerry S. Culpepper**
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

TBV Productions, LLC

represented by **Kerry S. Culpepper**
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

UN4 Productions, Inc.

represented by **Kerry S. Culpepper**
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Hunter Killer Productions, Inc.

represented by **Kerry S. Culpepper**
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

Doe 1

TERMINATED: 11/07/2019

doing business as

YIFY

TERMINATED: 11/07/2019

Defendant

Doe 2

TERMINATED: 11/07/2019

doing business as

YTS

TERMINATED: 11/07/2019

Defendant

Michael Nolasco

TERMINATED: 05/09/2019

Defendant

Brent Baldwin

TERMINATED: 05/23/2019

Defendant

Doe 3

Cullen Coughlan

TERMINATED: 06/12/2019

Defendant

Does 4-10

TERMINATED: 11/07/2019

Defendant

Techmodo Limited

TERMINATED: 04/14/2020

Defendant

Senthil Vijay Segaran

TERMINATED: 04/14/2020

Defendant

NGUYEN DINH Manh

TERMINATED: 04/22/2020

Date Filed	#	Docket Text
10/28/2019	51	<p>EO: Plaintiffs filed this action against Doe 2 dba YTS ("Doe Defendant YTS"), among others. <i>See</i> ECF No. 1. Plaintiffs' counsel, Kerry S. Culpepper, Esq., subsequently submitted a proposed summons for Doe Defendant YTS, which he directed to:</p> <p style="text-align: center;">Doe 2 - Techmodo LTD Mr. Senthil Vijay Segaran 40 BLOOMSBURY WAY LOWER GROUND FLOOR LONDON UNITED KINGDOM WC1A 2SE</p> <p>ECF No. 17 at 1.</p> <p>Mr. Culpepper subsequently filed two Proofs of Service purporting to evidence service of process upon Doe Defendant YTS through Techmodo Limited and Senthil Vijay Segaran. <i>See</i> ECF Nos. 42, 43. Techmodo Limited and Mr. Segaran, however, are not named in the Complaint, and thus they are not defendants in this case.</p> <p>Federal Rule of Civil Procedure 4(a)(1)(B) requires that a summons "be directed to the defendant[.]" As a practical matter, it is impossible to serve a summons and complaint on an anonymous defendant. The Ninth Circuit therefore disfavors the use of doe defendants, <i>see Gillespie v. Civiletti</i>, 629 F.2d 637, 642 (9th Cir. 1980), and Plaintiffs' tactics highlight the problems with proceeding with doe defendants.</p> <p>It is improper for Plaintiffs to attempt to effect service on a person or entity Plaintiffs believe to be a doe defendant without properly amending their complaint to identify the doe defendant by name. It is equally improper for Mr. Culpepper to direct summonses to persons and/or entities who are not named defendants in an action.</p> <p>Based on the foregoing, the Court finds that Plaintiffs and Mr. Culpepper improperly served the Complaint on Techmodo Limited and Mr. Segaran. The Court thus STRIKES the 42 and 43 Proofs of Service as to these non-parties. If Plaintiffs name Techmodo Limited and/or Mr. Segaran in a subsequent amended pleading, Plaintiffs will need to effect service of process in accordance with Federal Rule of Civil Procedure 4.</p> <p>The Court is aware that Mr. Culpepper, as the plaintiffs' counsel, has engaged in the same conduct in at least two other cases: (1) <i>HB Prods., Inc. v. Doe, et al.</i>, Civil No. 19-00389 ACK-KJM; and (2) <i>Wicked Nev., LLC v. Doe, et al.</i>, Civil No. 19-00413 SOM-KJM. The Court cautions Mr. Culpepper that similar actions in the future will result in the Court striking the plaintiffs' filings. (MAGISTRATE JUDGE KENNETH J. MANSFIELD) (mansfield2) (Entered: 10/28/2019)</p>

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